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October 31, 2012

VIA ECF AND E-MAIL (leung_chambers@mnd.uscourts.gov)

The Honorable Tony N. Leung
United States District Court
342 Warren E. Burger Federal Courthouse
316 N. Robert Street
St. Paul, MN 55101

Re: Ideas to Go, Inc. v. Spigit, Inc.
Court File No. 12-CV-01975 MJD/TNL

Dear Judge Leung:

This law firm represents the Plaintiff in the above entitled matter. Although I have not received a notice of hearing, it is my understanding that Defendant's counsel has scheduled its motions to set aside default and to dismiss count I of complaint (Dkt. Nos. 5, 12) to be heard by you on November 7, 2012.

While Plaintiff has attempted to schedule a meeting of the parties under L.R. 26.1(f)—on multiple occasions dating back to September 26, 2012—Defendant has declined to agree to such a meeting, and Defendant has declined to respond to Plaintiff's proposed/draft Rule 26(f) report (also originally sent to Defendant on September 26, 2012). A Rule 26(f) meeting would have likely resolved the motions scheduled to be heard by you on November 7, 2012, since among the topics the parties would be required to address would be pending motions.

Plaintiff therefore requests that your Honor schedule a Rule 16 conference to occur when the parties' counsel are present on November 7, 2012. This will permit the pending motions to be resolved as well as permit the parties to proceed under a scheduling order.

Very truly yours,

/s Edward P. Sheu

Edward P. Sheu

cc: All Counsel Via ECF and E-Mail